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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,575	10/05/2001	Joseph C. Walsh	P 5.78(a) CVL	4977

7590 05/30/2003  
Michael A. Goodwin, Esq.  
Klaas, Law, O'Meara & Malkin, P.C.  
Suite 2225  
1999 Broadway  
Denver, CO 80202

EXAMINER

MAI, TRI M

ART UNIT PAPER NUMBER

3727

DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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Commissioner for Patents

see attached

Tri M. Mai  
Primary Examiner  
Art Unit: 3727

*T. Mai*

Art Unit: 3727

1. In response to applicant's letter regarding the last Office action, the following corrective action is taken:

1) PTO-892 is attached along with references.

2) A copy of revised page 3 indicating "Carr (2412141)" has been changed to --Carr (2421141)--.

The period for reply of 3 MONTHS set in said Office Action is restarted to begin with the mailing date of this letter.

  
**TRI M. MAI**  
**PRIMARY EXAMINER**

Art Unit: 3727

Regarding claim 17, note that the hinge portions W is connected to T' via score lines (col. 4, lines 36-37).

Regarding claim 20, when moving the lid to an open position, the hinged portions W will misaligned via the score lines connected to portion T' as claimed.

T.M. 5. Claims 1, 2, 4, 7, 8, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson (3073501) in view of Carr (2421141). Williamson teaches a body, a lid, a panel 42 formed in the lid, the moving of lid in the open position, a releasably retaining the lid in a closed position. Williamson meets all claimed limitations except for the sheet of material covering the hole. Carr teaches that it is known in the art to provide a bag (being the sheet of paper) inside a hinged container. It would have been obvious to one of ordinary skill in the art to provide a sheet of material covering the hole in Williamson as taught by Carr to provide an inner receptacle for holding contents.

6. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson in view of Carr as set forth above, and further in view of Fleming. Fleming teaches that it is known in the art to provide a stationary and hinge portion separated by score lines. It would have been obvious to one of ordinary skill in the art to provide a stationary and hinge portion separated by score lines in the combination of Carr as taught by Fleming to secure the closure easily.

7. Claims 1, 2, 4, 5, 7-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming (2583211) in view of either Brooks (2434756) or Ignell(3168233). Fleming teaches body, a lid 3, a panel 7 engaging the hole with hinge portions defined by fold lines 7x. Fleming meets all claimed limitations except for the sheet of material covering the hole